

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

**FAST AND EASY FOOD
STORES, INC.,**

Plaintiff,

vs.

**GREENE BEVERAGE
COMPANY, INC.,**

Defendant.

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Civil Action No. _____

COMPLAINT

COMES NOW the Plaintiff, Fast and Easy Food Stores, Inc., and hereby files its complaint against Greene Beverage Company, Inc. In support thereof, Fast and Easy Food Stores, Inc. pleads as follows:

JURISDICTION AND VENUE

1. This complaint is filed and these proceedings are instituted under the provisions of 15 U.S.C.A § 13, commonly known as § 2 of the Clayton Act, as amended by the Robinson-Patman Act.

2. Jurisdiction is conferred on this Court pursuant to 15 U.S.C. § 15 and 28 U.S.C. § 1331.

3. The Plaintiff, Fast and Easy Food Stores, Inc. (“Fast and Easy”), is an Alabama corporation with its principal place of business in Tuscaloosa County, Alabama.

4. The Defendant, Greene Beverage Company, Inc. (“Greene Beverage”), is an Alabama corporation with its principal place of business in Tuscaloosa County, Alabama.

5. All of the events described herein occurred in this district.

FACTUAL ALLEGATIONS

6. Fast and Easy operates a number of convenience stores in and around Tuscaloosa County, Alabama.

7. In the operation and general business of its convenience stores, Fast and Easy is engaged in the retail sale of alcoholic beverages.

8. Greene Beverage is a wholesale beer distributor, and the exclusive wholesale distributor of Budweiser beer (the “Beer”) in Tuscaloosa and surrounding counties.

9. Greene Beverage purchases the Beer from out of state manufacturers, and then resells the Beer, without any transformation of the same, in a continuing flow of interstate commerce.

10. Beginning at least as early as June 1, 2009, the exact date being unknown to Fast and Easy, and continuing to the present date, Greene Beverage has discriminated in price between different purchasers of the Beer.

11. Particularly, Greene Beverage has charged Fast and Easy a significantly higher price for the Beer than what Greene Beverage has charged other similar businesses. This is true despite the Beer being of identical grade and quality.

12. The effect of this price discrimination has substantially lessened and prevented Fast and Easy's ability to compete with those similar businesses receiving substantially discounted Beer prices from Greene Beverage.

13. By reason of the price discrimination employed by Greene Beverage, Greene Beverage has proximately caused injury to Fast and Easy.

COUNT ONE

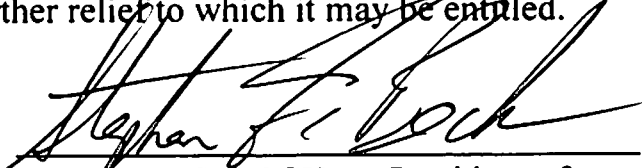
14. Fast and Easy realleges paragraphs 1 - 13 as if fully set forth herein.

15. Greene Beverage has violated 15 U.S.C. § 13 by discriminating in the prices it charges different purchasers for Beer of like grade and quality.

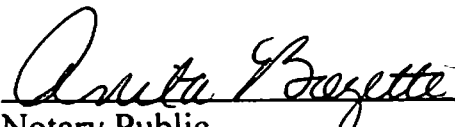
16. The price discrimination employed by Greene Beverage has substantially lessened Fast and Easy's ability to compete with other like businesses.

17. As a result, Fast and Easy has been injured.

WHEREFORE, the premises considered, Fast and Easy requests compensatory damages; treble damages; costs of suit, including a reasonable attorneys' fee, and for such other and further relief to which it may be entitled.


STEPHEN F. BECK, as President of
Fast and Easy Food Stores, Inc.

Sworn to and subscribed before me this 6th day of June 2011.


Notary Public
My Commission Expires: 8/6/13

/s/ Bryan S. Brinyark
Bryan S. Brinyark (ASB-3684-A63B)
Katie B. Thompson (ASB-4833-T80T)
Attorneys for Plaintiff

OF COUNSEL

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Defendant's Address:

Greene Beverage Company, Inc.
c/o Grover Lee Burchfield, III, Registered Agent
3100 Rice Mine Road, NE
Tuscaloosa, AL 35406